

J100
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages **19**]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets]
5. Oath or Declaration [Total Pages **3**]
 - a. Unexecuted
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 17 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)of prior application No.: /

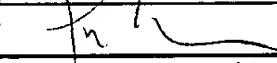
Prior application Information: Examiner _____

Group / Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

| | | | | |
|--|--|-----------|----------------|---|
| <input type="checkbox"/> Customer Number or Bar Code Label | | | | <input type="checkbox"/> or <input type="checkbox"/> Correspondence address below |
| Name | Patrea L. Pabst Arnall Golden & Gregory, LLP | | | |
| Address | 2800 One Atlantic Center 1201 West Peachtree Street | | | |
| City | Atlanta | State | GA | Zip Code 30309-3450 |
| Country | United States | Telephone | (404) 873-8794 | Fax (404)873-8795 |

| | | | |
|-------------------|---|-----------------------------------|------------------------------|
| Name (Print/Type) | Patrea L. Pabst | Registration No. (Attorney/Agent) | 31,284 |
| Signature |  | | Date January 19, 2001 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

JC53109/766362 PRO
01/19/01

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FEE TRANSMITTAL

for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$355.00)

Complete if Known

| | |
|----------------------|--------------------|
| Application Number | |
| Filing Date | January 19, 2001 |
| First Named Inventor | Solomon S. Steiner |
| Examiner Name | |
| Group Art Unit | |
| Attorney Docket No. | PDC 119 |

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **01-2507**
Deposit Account Name **Arnall Golden & Gregory, LLC**

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|------------------------|---------------|
| 101 710 | 201 355 | Utility filing fee | 355.00 |
| 106 320 | 206 160 | Design filing fee | |
| 107 490 | 207 245 | Plant filing fee | |
| 108 710 | 208 355 | Reissue filing fee | |
| 114 150 | 214 75 | Provisional filing fee | |

SUBTOTAL (1) (\$ 355.00)

2. EXTRA CLAIM FEES

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
| 19 | 18 | 1 | -20 | = 0 x 0 = 0 | = 0 |
| 3 | 2 | 1 | -3 | = 0 x 0 = 0 | = 0 |
| | | | | | |

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description |
|---------------|---------------|--|
| 103 18 | 203 9 | Claims in excess of 20 |
| 102 80 | 202 40 | Independent claims in excess of 3 |
| 104 270 | 204 135 | Multiple dependent claim, if not paid |
| 109 80 | 209 40 | ** Reissue independent claims over original patent |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ -0-)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130 | 205 65 | Surcharge - late filing fee or oath | |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 390 | 216 195 | Extension for reply within second month | |
| 117 890 | 217 445 | Extension for reply within third month | |
| 118 1,390 | 218 695 | Extension for reply within fourth month | |
| 128 1,890 | 228 945 | Extension for reply within fifth month | |
| 119 310 | 219 155 | Notice of Appeal | |
| 120 310 | 220 155 | Filing a brief in support of an appeal | |
| 121 270 | 221 135 | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,240 | 241 620 | Petition to revive - unintentional | |
| 142 1,240 | 242 620 | Utility issue fee (or reissue) | |
| 143 440 | 243 220 | Design issue fee | |
| 144 600 | 244 300 | Plant issue fee | |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Petitions related to provisional applications | |
| 126 240 | 126 240 | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | |
| 146 710 | 246 355 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 710 | 249 355 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 710 | 279 355 | Request for Continued Examination (RCE) | |
| 169 900 | 169 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Complete if applicable

| | | | | | |
|-------------------|---|-----------------------------------|--------|-----------|------------------|
| Name (Print/Type) | Patrea L. Rabst | Registration No. (Attorney/Agent) | 31,284 | Telephone | 404-873-8794 |
| Signature |  | | | Date | January 19, 2001 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

jc531 U.S. PRO
09/766362
01/19/01



Applicants: Solomon S. Steiner and Bryan R. Wilson

Serial No.: Express Mail Label No.: EL 709 415 605 US

Filed: January 19, 2001 Date of Deposit January 19, 2001

For: DRY POWDER FORMULATIONS OF ANTIHISTAMINE FOR NASAL
ADMINISTRATION

Assistant Commissioner
for Patents
Washington, D.C. 20231

**EXPRESS MAIL TRANSMITTAL LETTER
FOR PATENT APPLICATION AND CERTIFICATE OF MAILING**

Sir:

Pursuant to 35 U.S.C. § 21(a) as amended by Public Law 97-247 and 37 C.F.R. § 1.10, Solomon S. Steiner and Bryan R. Wilson enclose for filing the attached patent application entitled "DRY POWDER FORMULATIONS OF ANTIHISTAMINE FOR NASAL ADMINISTRATION", which claims priority to U.S.S.N. 60/176,845 filed January 19, 2000. The application includes 1 page of Abstract, 16 pages of specification, 2 pages of claims, and an unexecuted Declaration. An executed Declaration and Assignment to Pharmaceutical Discovery Corporation will be submitted shortly. A check in the amount of \$355.00 to cover the filing fee is enclosed.

This application is entitled to small entity status under 37 C.F.R. § 1.27.

This application is being filed on January 19, 2001 by mailing the application to the Assistant Commissioner for Patents, Washington, D.C. 20231 via the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10. The Express

"DRY POWDER FORMULATIONS OF ANTIHISTAMINE FOR NASAL ADMINISTRATION"
Filed January 19, 2001
Express Mail Transmittal Letter for
Patent Application and Certificate of Mailing
Express Mail Label No. EL 709 415 605 US

Mail label number appears in the heading of this paper which is attached to the application papers pursuant to 37 C.F.R. § 1.10(b).

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment to Deposit Order Account No. 01-2507. To facilitate this process, applicants have enclosed a duplicate of this letter.

All correspondence concerning this application should be mailed to:

Patrea L. Pabst, Esq.
ARNALL GOLDEN & GREGORY, LLP
2800 One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3450

Respectfully submitted,



Patrea L. Pabst
Reg. No. 31,284

Date: January 19, 2001

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"DRY POWDER FORMULATIONS OF ANTIHISTAMINE FOR NASAL ADMINISTRATION"
Filed January 19, 2001
Express Mail Transmittal Letter for
Patent Application and Certificate of Mailing
Express Mail Label No. EL 709 415 605 US

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this Express Mail Transmittal Letter for Patent Application and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, January 19, 2001, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, mailing label number EL 709 415 605 US, addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: January 19, 2001



Jean Hicks